

STAFF REPORT
August 21, 2008

No. 08PD035 - Planned Industrial Development - Initial Development Plan ITEM 43

GENERAL INFORMATION:

APPLICANT	Kent R. Hagg for Hagg Development Corporation
AGENT	Brad and Dad, LLC
PROPERTY OWNER	Brian Hagg and Pat Tlustos
REQUEST	No. 08PD035 - Planned Industrial Development - Initial Development Plan
EXISTING LEGAL DESCRIPTION	Lot 3 Mall Drive Subdivison and Lot 1B of Block 6 of Interstate 90 Business Park, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.0 acres
LOCATION	North of Mall Drive and West of Dakota Craft Drive
EXISTING ZONING	General Commercial District (Planned Development Designation)
SURROUNDING ZONING	
North:	Light Industrial District
South:	General Commercial District (Planned Development Designation)
East:	General Commercial District (Planned Development Designation)
West:	General Commercial District (Planned Development Designation)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	7/11/2008
REVIEWED BY	Travis Tegethoff / Ted Johnson

RECOMMENDATION:

Staff recommends that the Planned Industrial Development - Initial Development Plan be approved with the following stipulations:

- 1. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;**
- 2. Prior to issuance of a building permit the approaches must be revised to a maximum width of 28 feet per the Rapid City Street Design Criteria Manual or the**

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3. applicant must obtain an exception to the Rapid City Street Design Criteria Manual; Prior to Planning Commission approval of a Final Industrial Development Plan application, structural elevations and a complete building materials list and color palette for the structure, including the color of the roof, shall be submitted for review and approval. In particular, banding with alternate color schemes, cornices, arches, decorative brick work, decorative metal work, etc. could be incorporated into the design of the proposed building. In addition, the elevations shall show screening from all four sides of all roof top mechanical equipment;
4. Prior to Planning Commission approval of a Final Industrial Development Plan application, a complete landscaping plan shall be submitted for review and approval identifying specific plant material. The landscaping plan shall comply with all requirements of the Zoning Ordinance;
5. Prior to Planning Commission approval of a Final Industrial Development Plan application, a complete sign package, including any proposed signage on the buildings and direction signs within the parking lot, shall be submitted for review and approval;
6. Prior to Planning Commission approval of a Final Industrial Development Plan application, a complete parking plan in compliance with the Parking Regulations shall be submitted for review and approval. In addition, loading dock areas and the truck route through the site must be identified and submitted for review and approval. In particular, the applicant must demonstrate screening of the loading dock from East Mall;
7. Prior to Planning Commission approval of a Final Industrial Development Plan application, a complete lighting package identifying the design of the proposed lighting shall be submitted for review and approval. In addition, the lighting shall be designed to be reflected within the property boundaries so as not to shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind;
8. Prior to Planning Commission approval of a Final Industrial Development Plan application, the location and size of all dumpsters shall be submitted for review and approval. In addition, elevations of the screening fence for the dumpsters shall be submitted for review and approval and shall include building material(s) and the proposed color palette;
9. Prior to Planning Commission approval of a Final Industrial Development Plan application, the location, size and noise rating of all exterior air handling equipment shall be submitted for review and approval. In addition, the equipment shall be screened from all adjacent properties, including rooftop facilities;
10. The currently adopted International Fire Code shall be continually met. In particular, fire hydrants shall be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s). In addition, prior to issuance of a building permit, all weather access roads shall be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus;
11. An Air Quality Permit shall be obtained prior to any surface disturbance of one acre or more;
12. Prior to Planning Commission approval of a Final Industrial Development Plan

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13. application, all outdoor display and sales areas shall be shown and paved;
Upon submittal of a Final Industrial Development Plan, a revised site plan showing driveway widths in compliance with the Rapid City Street Design Criteria Manual shall be submitted for review and approval;
14. Prior to issuance of a building permit the property shall be replatted in accordance with the Rapid City Municipal Code or a developmental lot agreement must be approved and recorded at the Pennington County of Register of Deeds office and the existing easements shall be vacated;
15. Prior to issuance of a building permit the property shall be rezoned or the Planned Development shall be amended to comply with the Zoning Ordinance;
16. Upon submittal of a Final Industrial Development Plan application, the applicant shall demonstrate that the structures and parking do not cover more than 75 percent of the lot area;
17. Prior to Planning Commission approval of a Final Industrial Development Plan application, a drainage plan in compliance with the East Mall Drive Drainage Plan shall be submitted for review and approval. In particular, drainage calculations for the on-site storm sewer shall be submitted for review and approval. In addition, drainage easements shall be recorded as needed;
18. Prior to Planning Commission approval of a Final Industrial Development Plan application, a detailed grading plan, including erosion and sediment control measures, shall be submitted for review and approval;
19. Prior to issuance of a building permit a Fence Height Exception shall be obtained or the fence height shall be reduced to eight feet;
20. Prior to Planning Commission approval of a Final Industrial Development Plan application, the applicant shall submit the storage information for review and approval;
21. Prior to Planning Commission approval of a Final Industrial Development Plan application, water and sewer plans shall be submitted for review and approval; and,
22. The Planned Industrial Development shall expire if the use is not undertaken within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years.

GENERAL COMMENTS: (Update: August 15, 2008. All revised and/or added text is shown in bold). This item was continued to the August 21, 2008 Planning Commission meeting at the applicant's request. On August 14, 2008 the associated Comprehensive Plan Amendment (#08CA026) was reconsidered by the Future Land Use Committee. As such, staff recommends that the Planned Industrial Development – Initial Development Plan be approved with the above noted stipulations.

The applicant has submitted an Initial Industrial Development Plan to allow a retail structure on approximately three acres. The applicant has also submitted a Rezoning request (#08RZ028) from General Commercial to Light Industrial and a Comprehensive Plan Amendment (#08CA026) to change the land use designation from General Commercial with a Planned Commercial Development to Light Industrial with a Planned Industrial Development. The property is located west of Dakota Craft Drive and north of East Mall

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Drive and is currently void of any structural development.

STAFF REVIEW:

Staff has reviewed the Initial Industrial Development Plan and has noted the following considerations:

Platting: Staff noted that the proposed development is located on two lots. The structure will cross a common lot line and existing utility and drainage easements. Staff recommends that prior to issuance of a building permit the property must be replatted in accordance with the Rapid City Municipal Code or a developmental lot agreement must be approved and recorded at the Pennington County of Register of Deeds office and the existing easements must be vacated.

Zoning: As previously noted the applicant has submitted a Rezoning request (#08RZ028) from General Commercial to Light Industrial and a Comprehensive Plan Amendment (#08CA026) to change the land use designation from General Commercial with a Planned Commercial Development to Light Industrial with a Planned Industrial Development to allow the proposed development. The Future Land Use Committee reviewed this item at their July 31, 2008 meeting and recommended denial of the Comprehensive Plan Amendment. Based on the recommendation of the Future Land Use Committee to deny the associated Comprehensive Plan Amendment, staff recommends that the Planned Industrial Development - Initial Development Plan be denied.

On August 14, 2008 the Future Land Use Committee reviewed the request and determined that the proposed amendment is compatible with the surrounding properties based on the protections provided by the Planned Industrial Development.

Lot Coverage: Section 17.22.040 of the Rapid City Municipal Code states that main and accessory buildings and off-street parking and loading facilities shall not cover more than 75 percent of the lot area. Staff is recommending that upon submittal of a Final Industrial Development Plan application, the applicant must demonstrate that the structures and parking do not cover more than 75 percent of the lot area.

Design Features: The applicant has not submitted structural elevations for the proposed development. Staff is recommending that upon submittal of a Final Industrial Development Plan application, structural elevations and a complete building materials list and color palette for the structure, including the color of the roof, be submitted for review and approval. In addition, the elevations must show screening for all roof top mechanical equipment.

Approaches and Drive Lanes: Staff noted that the proposed approaches on East Mall Drive exceed the maximum width for an approach to a commercial site. Staff noted that the approaches must be revised to a maximum width of 28 feet per the Rapid City Street Design Criteria Manual or the applicant shall obtain an exception to the Rapid City Street Design Criteria Manual. As such, staff recommends that prior to issuance of a building permit the approaches must be revised to a maximum width of 28 feet per the Rapid City Street Design Criteria Manual or the applicant must obtain an exception to the Rapid City Street Design

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Criteria Manual. In addition it appears that the driveway along the north end of the property does not meet the minimum width for a two-way drive lane. As such, staff is recommending that upon submittal of a Final Industrial Development Plan, a revised site plan in compliance with the Rapid City Street Design Criteria Manual be submitted for review and approval.

Parking: The proposed 19,188 square foot retail store as shown requires that a minimum of 95 parking spaces be provided with 4 of the parking spaces must be handicap accessible with one of the spaces being "van accessible". As such, staff is recommending that upon submittal of a Final Industrial Development Plan, a complete parking plan in compliance with the Parking Regulations be submitted for review and approval. In addition, loading dock areas and the truck route through the site must be identified and submitted for review and approval. In particular, the applicant must demonstrate screening of the loading dock from East Mall Drive.

Signage: Staff is recommending that upon submittal of a Final Industrial Development Plan application, a complete sign package, including any proposed signage on the buildings and direction signs within the parking lot, shall be submitted for review and approval.

Landscaping: A landscape plan has not been submitted for the proposed development. Staff is recommending that upon submittal of a Final Industrial Development Plan application, a complete landscaping plan be submitted for review and approval identifying specific plant material. In particular, the landscaping plan must comply with all requirements of the Zoning Ordinance.

Lighting Plan: As a part of a Final Commercial Development Plan application, a complete lighting package identifying the design of the proposed lighting must be submitted for review and approval. In addition, the lighting must be designed to be reflected within the property boundaries so as not to shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind.

Fire Protection: The Fire Department staff has indicated that fire hydrants must be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s). The Fire Department has also indicated that prior to issuance of a building permit, all weather access roads must be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus. Staff is recommending that all current adopted International Fire Codes be continually met.

Air Quality Permit: Staff noted that an Air Quality Permit must be obtained prior to any surface disturbance of one acre or more.

Dumpster: As a part of a Final Commercial Development Plan application, the location and size of all dumpsters must be submitted for review and approval. In addition, the dumpsters must be screened and elevations of the screening fence must be submitted for review and approval.

Fence Height: The applicant is proposing a 12 foot high fence around the storage area.

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Staff noted that a fence shall not exceed eight feet in height in an industrial development as per Chapter 15.40.040 of the Rapid City Municipal Code. As such, staff recommends that prior to issuance of a building permit a Fence Height Exception must be obtained.

Storage Areas: Staff noted that all storage areas must be paved. In addition, the applicant agreed during the August 14, 2008 Future Land Use Committee to provide a list of materials proposed to be stored in the outside display areas. As such, staff recommends that prior to Planning Commission approval of a Final Industrial Development Plan the applicant must submit the storage information for review and approval.

Air Handling Equipment: As a part of a Final Commercial Development Plan application, the location, size and noise rating of any exterior air handling equipment must be submitted for review and approval. In addition, the equipment must be screened from all adjacent properties, including rooftop equipment.

Legal Notification Requirement: The receipts from the certified mailings have been returned and the sign has been posted on the property. As of this writing, staff has not received any calls or inquiries regarding this proposal.